

**\*\*NOT FOR PRINTED PUBLICATION\*\***

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**PETER BABLES,  
Plaintiff**

**VS.**

**CITIMORTGAGE, INC.,  
Defendant.**

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**Case No. 4:16cv104  
(Judge Clark/Judge Bush)**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On April 13, 2016, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Rule 12(b)(6) Motion to Dismiss Plaintiff's Petition for Failure to State a Claim (Dkt. # 5) should be GRANTED and that Plaintiff's claims should be dismissed for failure to state a claim.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and approves the Magistrate Judge's recommendations. Therefore, Defendant's Rule 12(b)(6) Motion to Dismiss Plaintiff's Petition for Failure to State a Claim (Dkt. # 5) is GRANTED and Plaintiff's claims are dismissed for failure to state a claim.

So **ORDERED** and **SIGNED** this **23** day of **May, 2016**.



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Ron Clark, United States District Judge